

MEMPHIS CODE OF ORDINANCE NO _____

AN ORDINANCE TO AMEND CHAPTER 33, CODE OF ORDINANCE SO AS
TO INCREASE THE SEWER FEE

WHEREAS, the sewer fee was increased from 87.5 cents to 95.8 cents per 1000 gallons on July 1, 2008, and

WHEREAS, in order to maintain the stability of Sewer Fund, the sewer fees need to be increased.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS THAT SECTION 1: CHAPTER 33 ARTICLE III, DIVISION 2, SEWER FEES AND CHARGES, SECTION 33-131(b) (1) IS HEREBY AMENDED AS FOLLOWS:

Sect. 33-131(b)

- (1) Volumetric charges. All customers will be charged a volumetric charge based on the equivalent strength of domestic sewage (BOD5 of two hundred fifty (250) milligrams per liter, SS of three hundred (300) milligram per liter). Since seven and forty-eight one hundredths (7.48) gallons equals one cubic foot, one thousand (1,000) gallons equals 133.689 cubic feet (cf) or one thousand (1,000) gallons equals 133.689 hundred cubic feet (cf). The volumetric charge per one thousand (1,000) gallons shall be based on the following formula:

$$VC(1000) = 1,000 \left[\frac{1}{Q} T(Q) + \frac{1}{Q} \frac{(T(B) B(R))}{B} + \frac{1}{Q} \frac{T(S) S(R)}{S} \right]$$

The factors in this formula are based on a projected one year. Due to the annual debt service, capital costs, treatment and operations and maintenance costs, and all other charges assigned to the sewer fund, the volumetric charge will be 105.3 cents per one thousand (1,000) gallons of flow until changed by amendment to this section. A residential maximum volume fee of eighteen dollars (\$18.00) and a minimum of two dollars and fifty cents (\$2.50) per month per individual dwelling unit is herewith established.

Commencing and retroactive to July 1, 2009 the 105.3 cents flow charge fee shall be assessed against the name in which a meter has been installed; provided, further, however, in the case of multifamily dwelling a portion of this cost may be recovered through a monthly flat rate per customer charge. The charge, as determined by the Director of Public Works, shall not exceed four dollars and eleven cents (\$4.11) per monthly flat rate charge per customer. Amounts collected through any monthly flat rate charge shall be credited to the accordance with section 33-156.

Commencing July 1, 2009 all industrial customers assigned an industrial discharge agreement will be charged a sewer fee of 105.3 cents per one thousand (1,000) gallons of flow.

Changes to all users shall be based on the indicated formula using the following:

Q	=	Total flow to treatment plants minus and infiltration/inflow
T (Q)	=	Treatment cost assigned to flow (includes debt service, operation, maintenance, and replacement costs)
T (B)	=	Treatment cost assigned to BOD (includes debt service, operation, maintenance, and replacement costs)
T (S)	=	Treatment costs assigned to suspended solids (includes debt service, operation, maintenance, and replacement costs)
B (R)	=	Residential strength BOD loading (250 milligrams per liter)
B	=	Total BOD loading or BOD capacity of treatment plants, whichever is less
S (R)	=	Residential strength suspended solids loading (300 milligrams per liter)
S	=	Total suspended solids loading or suspended solids capacity of treatment plants, whichever is less

Sec. 33-156

(g). In accordance with the apartment credit program the approving authority has the right to charge each tenant four dollars and eleven cents (\$4.11) per month is so requested in writing by the apartment owner. The total amount collected will then be credited against the amount billed from the master water meter reading each month.

SECTION 2. BE IT FURTHER ORDAINED, That the various sections of this Ordinance are severable, and that any portion declared unlawful shall not affect the remaining portions

SECTION 3. BE IT FURTHER ORDAINED, that this ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law

Passed, approved and adopted this _____ day of _____, 2009.

Chairman, Memphis City Council